

**DELEGATION OF AUTHORITY
THE COMPREHENSIVE ENVIRONMENTAL RESPONSE,
COMPENSATION AND LIABILITY ACT (CERCLA)**

State and Tribal Response Program Funding

1. **AUTHORITY.** To exercise the Agency's authority pursuant to Section 128(a) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended:
 - a. To make determinations and take actions necessary to approve grants.
 - b. To modify a Memorandum of Agreement (MOA) with a state or Indian tribe regarding that state's or tribe's voluntary response program.
2. **TO WHOM REDELEGATED.** Through the Director, Land, Chemical, and Redevelopment Division, or equivalent, to the Branch Chief, Pollution Prevention and Communities Branch, or equivalent.
3. **LIMITATIONS.**
 - a. The regional administrator, office director, or branch chief must exercise the authority in paragraph 1.a. in accordance with program guidance issued by the AA for OLEM or his/her designee.
 - b. The regional administrator must obtain the concurrence of the AA for OLEM and the AA for OECA or their designees prior to exercising the authority under 1.b. to enter into a MOA. The AA for OLEM and the AA for OECA or their designees may waive, in whole or in part, this limitation by memorandum.
 - c. The regional administrator, office director, or branch chief must consult with the AA for OLEM and the AA for OECA or their designees before modifying a MOA under 1.b. The AA for OLEM and the AA for OECA or their designees may waive, in whole or in part, this limitation by memorandum.
 - d. Clearance or approval of the form, text, and legal sufficiency of each legally operative document issued under this delegation must be obtained from the Office of Regional Counsel before that document is signed and issued.
4. **REDELEGATION AUTHORITY.**
 - a. The authority in 1.a. may be redelegated to the section chief level, or equivalent, and no further.
 - b. The authority in 1.b. to modify a MOA may be redelegated to the branch chief level, or equivalent, and no further.
 - c. The regional administrator's authority to enter into a MOU may not be redelegated.
 - d. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.
5. **SUPERSESSION.** This delegation supersedes R10 14-44 (04/20/2012), R10 14-44(1) (05/03/2012), and any other delegation of the same authority.

6. ADDITIONAL REFERENCES.

- a. The Federal Grant and Cooperative Agreement Act of 1977, 31 U.S.C. Sections 6301 et seq.
- b. EPA Order 5700.1, Policy for Distinguishing Between Assistance and Acquisition.
- c. 40 CFR Part 31, Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments.
- d. EPA Delegation 1-14-A.
- e. EPA Delegation 14-44.

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Date


Chris Hladick
Regional Administrator